

2 To CT

ORIGINAL

20
1/10/01
JR

IN THE UNITED STATE DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

ABDOULAYE BA
PETITIONER

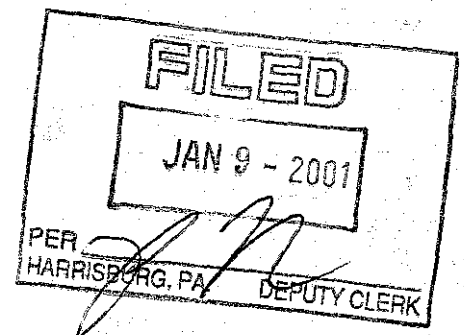
V.

BOARD OF IMMIGRATION
Appeal.

RESPONDENT.

REF: No ~~00-2429~~
L: C.V.-00-136

HONORABLE JUDGE SILVIA H. RAMBO



HONORABLE JUDGE. RAMBO

RE: APPOINTMENT OF COUNSEL - JAMES V. WADE ESQUIRE,
FEDERAL PUBLIC DEFENDANT, TO REPRESENT PETITIONER.

In the above Case matter, before the Honorable Judge and Court, the above named Counsel (Public Defender Federal James V. Wade was appointed to represent the Petitioner Mr. Abdoulaye Ba in a habeas Corpus proceedings pursuant to Criminal Justice Act. 18 U.S.C. 3006A, as amended in the middle District of Pennsylvania under 28 U.S.C. 2241.

The Case was referred to the United State Court of Appeals for the Second Circuit - Case No 00-44 on August 21st, 2000. My Counsel Mr. James V. Wade filed a motion to withdraw as Counsel on appeal concluding that:

① Appointment of a Federal Public Defender for the middle District of Pennsylvania to a Second Circuit Court is not Appropriate.

② Appointment of an attorney pursuant to the Criminal Justice Act. to represent an individual on a petition for review of an agency's Order is not permitted by the Criminal Justice Act.

Your Honor, what James V. Wade Counsel for Petitioner told him was that if the Case were to be set in Pennsylvania, he would still be representing me but since the Case has been sent to New York Court of Appeal Second Circuit he could not go back on forth to New York.

Petitioner also feels that it is Inconsiderate of a Federal appointed attorney to request for a leave to withdraw from his Case, at a crucial time when he has suppose to file a brief and notice of Oral argument in relation to petitioners Case pending in the Second Circuit Court of Appeals. Petitioner do not speak a great deal of English nor can he write any better. He is a citizen of Senegal who is fluent in French.

I do not know what Else to do than to write you Honor to see what the Court can do to have James Wade back on my Case as required by law.

Petitioner Prays the Court to interceded on my behalf in this matter, as I have not other means of acquiring a Counsel to represent me, or if my Case can be remanded back to Pennsylvania. May be then I can

retain the same attorney, since that ~~was~~ was his main objection to withdrawing from my case.

Please your Honor, I am suppose to file a brief on I do not have any clue what to do. It January 2001 and I have not heard anything from the Court appeal concerning this matter. I have also written a letter to the Clerk of Court for the Court of Appeal and no response. I do not know what to do.

Please help me,

Yours faithfully

Abdoula Ba.

YORK COUNTY PRISON
3400 CONCORD ROAD,
YORK P.A. 17402
I.D. # 55110